ROGERS TOWERS, P.A. 1301 RIVERPLACE BOULEVARD, SUITE 1500 JACKSONVILLE, FLORIDA 32207 (904) 398-3911 (904) 396-0663 (Fax)f

RECEIVED CENTRAL FAX CENTER NOV 2 2 2005

FACSIMILE TRANSMITTAL COVER SHEET

Date: November 22, 2005

TIME: 8:27 AM

No. of Pages including Cover Sheet: 3

PLEASE DELIVER THE FOLLOWING PAGES TO:

Recipient Name

Firm/Company

Fax Number

Mital B. Patel, Primary

Primary USPTO

571-273-8300

Examiner

From:

Richard S. Vermut

DIRECT TELEPHONE NO.: (904) 346-5573

CLIENT/MATTER NO:

MESSAGE:

Patent application # 10/659,008

Title: Nasal Cannula Inventor: Norman Cardoso Filing Date: September 10, 2003

Examiner Mital B. Patel, Group Art Unit 3743

Certificate of Transmission

I hereby certify that this Transmittal and enclosed 2 page correspondence is being facsimile transmitted to the Patent and Trademark Office (571) 273-8300, on November 22, 2005.

Richard S. Vermut

WARNING: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE MAY BE ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

If you are having problems receiving this telecopy, please call Rich at (904) 346-5573. Thank you.

RECEIVED CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 2 2 2005

In re patent application of: CARDOSO, NORMAN)	
)	
)	Examiner: Mital B. Patel
Serial No.:	10/659,008)	
)	Art Unit: 3743
Filing Date:	September 10, 2003)	
	<u>-</u>)	·
Title:	NASAL CANNULA)	
)	

CERTIFICATE OF MAILING 37 CFR 1.8(A)

The undersigned certifies that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

November 22, 2005

Date

Richard S Vermut

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

This communication is in response to a restriction/election requirement with mail date of,
October 24, 2005, in which the Examiner has designated the following groups and requires
restriction to one of said groups:

Species 1: Claims 2-29

Species 2: Claims 30-55

Applicant elects without traverse to prosecute Species 1 (Claims 2-29).

Respectfully submitted,

Date: November 22, 2005

By:_

Richard S. Vermut
Reg. No. 41,362
ROGER TOWERS, P.A.
1301 Riverplace Blvd, Suite 1500
Jacksonville, FL 32207
(904) 398-3911
(904) 396-0663
RVermut@rtlaw.com

ATTORNEY FOR APPLICANT